

Town of Sandwich
Annual Town Meeting

WARRANT

Monday, May 2, 2022

7:00 p.m. – Sandwich High School



BOARD OF SELECTMEN

Michael J. Miller, Chair
Robert J. George, Vice-Chair
Shane T. Hctor
Charles M. Holden
David J. Sampson

MODERATOR

Garry N. Blank

FINANCE COMMITTEE

Robert Guerin, Chair
Nancy Crossman, Vice-Chair
Matthew D. Anderson
Adam Chaprales
Edward Collupy
James McCormick
Peter Meomartino
Jeremy Shea
Laura B. Wing

INDEX OF WARRANT ARTICLES

May 2, 2022 Annual Town Meeting

1. Report of Town Officials & Long Range Plan Overview (p. 4)
2. FY'23 Budget (p. 4)
3. FY'23 Enterprise Fund Operating Budgets (p. 8)
4. FY'23 Revolving Fund Appropriation Limits (p. 8)
5. Capital Budget (p. 9)
6. Ch. 90 State Aid to Highways Program (p. 9)
7. School Department Cellular Lease Transfer and Appropriation of Funds (p. 9)
8. Beach Renourishment Account Appropriation (p. 10)
9. Sandwich Promotions Fund Appropriations (p.10)
10. FY'22 Marina Budget Supplemental Appropriation (p. 10)
11. CPA Fund Expenditure – Administrative Costs, 10% Allocations, & Debt Payment (p. 10)
12. Authorize Granting & Acceptance of Easements for Beach and Dune Renourishment Project (p. 11)
13. Authorize Acceptance of Easements for Quaker Meetinghouse Road & Route 130 Intersection Project (p. 11)
14. Sandwich Hollows Irrigation System & Equipment Project & Bond Authorization (p. 12)
15. School Department Capital Projects Debt Exclusion Authorization (p. 12)
16. Petition: Ban on Commercial Sale of Single-Use Plastic Bottles (p. 12)
17. Petition: Town Bylaw Amendment – Remove Personal Watercraft Ban on Peters Pond (p. 13)
18. Petition: Town Bylaw & Zoning Amendment: Recreational Marijuana (p. 14)
19. Elect Officers & Ballot Questions (p. 21)

NOTE: Petition articles have been printed as submitted and may contain typographic and other errors.

Reference Material:

1. Article 1 – 2022 Long Range Plan (p. 26)
2. Article 2 – FY'23 Estimated General Fund Revenues & Expenses (p. 33)
3. A Glossary of Commonly Used Terms (p. 34)
4. Table of Basic Points of Motions (p. 37)

**TOWN OF SANDWICH
2022 ANNUAL TOWN MEETING
May 2, 2022**

Warrant

Barnstable, ss.

To the Constables of the Town of Sandwich, in the County of Barnstable,

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Sandwich qualified to vote in elections and Town affairs to meet at the Sandwich High School, 365 Quaker Meetinghouse Road, in East Sandwich on

Monday, May 2, 2022, at 7:00 p.m.,

then and there to act on the following articles, and for election on

Thursday, May 5, 2022, at 7:00 a.m. and close at 8:00 p.m.

Those residing within the area of Precincts 1 and 2 meet at the Henry T. Wing School, 33 Water Street, Sandwich. Those residing within the area of Precincts 3 and 4 meet at the Oak Ridge School, 260 Quaker Meetinghouse Road, East Sandwich. Those residing within the area of Precincts 5 and 6 meet at the Forestdale School, 151 Route 130, Forestdale.

ARTICLE 1

To see if the Town will vote to hear the reports of all Town Officers and Committees and to act thereon and to hear the report of the Board of Selectmen on the Long Range Plan, or take any other action relative thereto.

Recommended by the Board of Selectmen.

ARTICLE 2

To see if the Town will vote to hear the report of the Finance Committee and to see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$86,039,599.00, or any other amount, to defray Town expenses for the Fiscal Year July 1, 2022 to June 30, 2023 as itemized below in the third column entitled FY'23 Recommendation, or take any other action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

Fiscal Year 2023 Finance Committee Budget Message:

Consistent with recent budget messages, we can again opine that our town's financial condition remains sound, thanks to careful planning and prudent fiscal management. Town boards and committees continue to regularly present Town Meeting reasonable spending plans that provide for the education, public safety, public works and other municipal services that we residents expect and value, while modestly enhancing our reserves and slowly addressing prioritized capital projects. Borrowing continues to be done responsibly to support capital needs and maintain infrastructure. Evidence of our good fiscal stewardship includes commentary from the ratings agency Standard & Poor's ("S&P") who recently described the town's fiscal management as "strong, with good financial policies and practices."

Our municipal budget reflects careful, measured spending – increasing modestly over the previous year. It's accurate to say that we take a very conservative approach to budgeting. We were proactive in reducing expenses wherever it was prudent and reasonable to do so and we were also very cautious in our revenue estimates. Overall, the town's financial picture is good and our budgeting practices very reasonable. We also supported addressing two, long-standing municipal operating budget needs – additional funding for public roads and infrastructure improvements and more accurately funding Fire Department overtime demands for service.

The Committee has long exhibited a commitment to maintaining and improving our physical assets. To continue this effort, we support the proposed infrastructure improvements at Sandwich Hollows Golf Course and the School Department debt exclusion to complete significantly needed repairs at all three schools and establishing a permanent home for central administration.

The process of creating a spending plan with limited funds is hard work. It is always a challenge to build a budget that enables our schools, public safety and municipal service departments to continue to provide quality services within the confines of available resources. Our Town and School staff and various elected and appointed boards and committees work hard to create our budget. Their jobs are difficult and often thankless. The Finance Committee appreciates their hard work, energy and effort.

The Finance Committee works diligently to provide meaningful, specific and actionable financial advice and recommendations to the School Committee, Board of Selectmen, Town staff and most importantly, to you the taxpayers and voters of Sandwich. Finance Committee members take their work very seriously. We work hard to deliver a complete, fair and reasonable assessment of the Town's financial plan, current budget and longer-term fiscal stewardship. We are grateful for the opportunity and honor that we have to serve you our neighbors and fellow taxpayers.

Respectfully submitted,
Sandwich Finance Committee

FY'23 BUDGET

| NO. | DEPARTMENT | FY21 APPROP | FY22 APPROP | FY23 APPROP |
|------------|------------------------------|--------------------|--------------------|--------------------|
| 114 | Moderator | 450 | 450 | 500 |
| 123 | Selectmen/Manager | 523,830 | 487,401 | 487,559 |
| | Personnel Expenses | 300,000 | 338,973 | 670,113 |
| 131 | Finance Committee | 3,400 | 3,400 | 2,875 |
| 135 | Accounting | 187,865 | 195,491 | 208,499 |
| 141 | Assessing | 370,249 | 392,599 | 354,630 |
| 145 | Treasurer | 267,922 | 271,194 | 539,359 |
| 146 | Tax Collector | 220,987 | 228,060 | 0 |
| 147 | Tax Title | 35,000 | 35,000 | 35,000 |
| 151 | Legal | 300,000 | 300,000 | 325,000 |
| 152 | Human Resources | 186,413 | 196,878 | 200,822 |
| 161 | Town Clerk | 202,590 | 209,194 | 209,419 |
| 162 | Elect. & Registration | 75,750 | 48,000 | 70,750 |
| 171 | Natural Resources | 315,118 | 313,356 | 322,012 |
| 175 | Planning & Development | 239,008 | 262,703 | 264,912 |
| 190 | Facilities Management | 723,288 | 747,325 | 847,007 |
| 195 | Town Reports | 12,500 | 12,500 | 12,500 |
| 196 | Bind Records | 7,000 | 7,000 | 7,000 |
| 197 | Info. Technology | 699,430 | 708,152 | 711,521 |
| | Total 100s | 4,670,800 | 4,757,676 | 5,269,478 |
| 210 | Police Department | 4,782,241 | 4,923,555 | 5,126,589 |
| 220 | Fire Department | 3,798,102 | 3,925,753 | 4,135,558 |
| 241 | Inspections | 302,746 | 314,226 | 332,534 |
| 244 | Sealer of Weights & Measures | 14,000 | 14,350 | 14,709 |
| 291 | Emergency Management | 22,500 | 22,500 | 22,500 |
| 294 | Forest Warden | 1,500 | 1,500 | 1,500 |
| 297 | Bourne Shellfish | 4,000 | 4,000 | 4,000 |
| 299 | Greenhead Fly | 2,500 | 2,500 | 2,500 |
| | Total 200s | 8,927,589 | 9,208,384 | 9,639,890 |
| 300 | School Department | 35,144,706 | 36,058,894 | 36,923,875 |
| 313 | UCCRVTs | 2,135,468 | 2,433,216 | 2,668,824 |
| | Total 300s | 37,280,174 | 38,492,110 | 39,592,699 |
| 410 | DPW - Engineering | 279,322 | 289,071 | 295,937 |
| 420 | DPW | 1,874,438 | 1,990,283 | 2,652,396 |
| 421 | Snow & Ice | 400,000 | 400,000 | 400,000 |
| 424 | Streetlights | 20,000 | 20,000 | 20,000 |
| | Total 400s | 2,573,760 | 2,699,354 | 3,368,333 |

| NO. | DEPARTMENT | FY21 APPROP | FY22 APPROP | FY23 APPROP |
|--|---|-------------|-------------|-------------------|
| 510 | Health Department | 227,483 | 237,259 | 245,425 |
| 522 | Nursing Department | 169,905 | 178,254 | 182,932 |
| 540 | Social Services | 35,000 | 35,000 | 35,000 |
| 541 | Senior & Community Services | 238,462 | 248,229 | 265,861 |
| 543 | Veterans | 103,500 | 105,000 | 117,500 |
| | Total 500s | 774,350 | 803,742 | 846,718 |
| 610 | Library | 1,005,907 | 1,031,580 | 1,006,435 |
| 630 | Recreation | 252,602 | 251,955 | 310,870 |
| 650 | DPW - Parks | 30,850 | 30,850 | 30,850 |
| 671 | Hoxie / Grist Mill | 3,500 | 3,500 | 56,000 |
| 693 | Memorial Day | 1,200 | 1,200 | 1,200 |
| 694 | Historic District | 15,550 | 15,550 | 10,700 |
| | Total 600s | 1,309,609 | 1,334,635 | 1,416,055 |
| Operating Budget Subtotal: | | 55,536,282 | 57,295,901 | 60,133,173 |
| 135 | Sanitation, Marina & SHGC Indirect Costs Transfers | | | 80,000 |
| 171 | Waterways Fund Transfer | | | 7,500 |
| 220 | Ambulance Fund Transfer | | | 1,850,000 |
| 630 | Beach & Recreation Account Transfers (incl. Sandy Neck) | | | 336,757 |
| 650 | Cemetery Trust Fund Transfer | | | 35,000 |
| 671 | Hoxie House / Grist Mill Transfer | | | 10,000 |
| | Overlay Release | | | 0 |
| Inter-Fund Transfers Subtotal: | | | | 2,319,257 |
| 132 | Reserve Fund | | | 500,000 |
| 710 | Borrowing Expenses | | | 150,000 |
| 750 | Exempt Debt Outside Proposition 2.5 | | | 2,283,713 |
| 750 | Non-Exempt Debt Inside Proposition 2.5 | | | 1,276,872 |
| 910 | Group Health Insurance | | | 11,900,000 |
| 912 | Medicare | | | 724,132 |
| 940 | Property & Liability Insurance | | | 1,500,000 |
| 941 | Unemployment Account | | | 100,000 |
| 950 | Retirement Assessment | | | 4,802,452 |
| Fund 80 | OPEB Trust Fund | | | 250,000 |
| Fund 83 | Stabilization Fund | | | 100,000 |
| Other Budget Accounts Subtotal: | | | | 23,587,169 |
| FY'23 BUDGET TOTAL: | | | | 86,039,599 |

ARTICLE 3

To see if the Town will vote in accordance with the provisions of M.G.L. c.44, §53F½ to raise and appropriate or transfer from available funds a sum of money, to be expended under the direction of the Board of Selectmen, for the purpose of establishing the FY'23 enterprise fund budgets for the Department of Public Works Sanitation Division, Sandwich Hollows Golf Club, Sandwich Marina, and Cable Public Access, in accordance with the following list, or take any other action relative thereto.

| Enterprise Fund | Recommended FY'23 Budget |
|--|---------------------------------|
| Cable Public Access | 545,000 |
| Department of Public Works Sanitation Division | 1,081,258 |
| Sandwich Hollows Golf Club | 1,104,334 |
| Sandwich Marina | 2,072,517 |

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 4

To see if the Town will vote in accordance with the provisions of M.G.L. c.44, §53E1/2 and Section 2.11 of the Sandwich Town Bylaws to authorize the spending limits of revolving funds for the following Town departments for FY'23, to be expended under the direction of the Board of Selectmen, in accordance with the following list:

| Revolving Account | Expenditure Limit |
|--|--------------------------|
| Recreation Programs | \$525,000 |
| Solar Energy / Town Utilities | \$125,000 |
| Town Hall Meeting Room | \$10,000 |
| Sand Hill School Community Center Expenses | \$10,000 |
| Oak Crest Cove Expenses | \$12,000 |
| Sandwich: A Cape Cod Town Book | \$2,000 |
| Senior & Community Services Programs | \$60,000 |
| School Department Book Fines | \$10,000 |

or take any other action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 5

To see if the Town will vote to hear the report of the Capital Improvement Planning Committee, and further, to raise and appropriate or transfer from available funds the sum of \$300,000.00, or any other amount, and to transfer and appropriate the sum of \$125,000.00 from the Golf Department Enterprise Fund, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of purchasing and repairing equipment, vehicles, and buildings, and providing related services in accordance with the following list, for a total capital appropriation of \$425,000.00:

| <u>Capital List</u> | <u>Amount</u> |
|--|----------------------|
| Facilities Department – Town Building Repairs & Improvements | 150,000 |
| School Department – School Building Repairs & Improvements | 150,000 |
| Golf Department – Repairs & Improvements | 125,000 |
| Capital List Total | 425,000 |

| <u>Transfer Funding Sources</u> | <u>Amount</u> |
|--|----------------------|
| Golf Department Enterprise Fund | 125,000 |
| Capital Offset Total | 125,000 |

or take any other action relative thereto.

Recommended by the Board of Selectmen, Finance Committee, and Capital Improvement Planning Committee.

ARTICLE 6

To see if the Town will vote to appropriate the sum of money, received or to be received, from the Chapter 90 State Aid to Highways Program for highway construction and/or maintenance on any State approved road during FY'23, or take any other action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 7

To see if the Town will vote to transfer and appropriate the sum of \$34,560.44, or any other amount, to be expended under the direction of the School Committee, from the Sandwich High School cellular antenna lease receipt reserved for appropriation account, under Chapter 154 of the Acts of 2009, for the purpose of the maintenance and improvement of exterior athletic fields and facilities at Sandwich High School, or take any other action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 8

To see if the Town will vote to transfer and appropriate the sum of \$89,267.58, or any other amount, from the beach renourishment receipts reserved for appropriation account, as established at the 2013 Annual Town Meeting under Article 23, to be expended under the direction of the Board of Selectmen, for the purpose of funding future public ocean beach and dune renourishment projects, or take any other action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 9

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$72,499.16, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of funding the FY'23 Sandwich Promotions Fund as established under Chapter 313 of the Acts of 2020, in accordance with the following list; and further, to authorize the Board of Selectmen to enter into a grant agreement with the Sandwich Chamber of Commerce and Canal Region Chamber of Commerce, on such terms and conditions as the Board of Selectmen deems appropriate, setting forth the conditions under which such funds may be expended; or take any other action relative thereto.

| <u>Grant Recipient</u> | <u>Amount</u> |
|---|----------------------|
| Visitor Services Board | 28,999.66 |
| Sandwich Chamber of Commerce | 28,999.66 |
| <u>Canal Region Chamber of Commerce</u> | <u>14,499.83</u> |
| Sandwich Promotions Fund Total | 72,499.16 |

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 10

To see if the Town will vote to transfer and appropriate \$150,000.00, or any other amount, from the Sandwich Marina Enterprise Fund retained earnings, to be expended under the direction of the Board of Selectmen, for the purpose of increasing the FY'22 Sandwich Marina budget for the purchase of fuel, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 11

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the FY'23 Community Preservation budget and to appropriate from the Community Preservation Fund FY'23 estimated annual revenues the sum of \$75,000.00, or any other sum, to meet the administrative expenses and all other

necessary and proper expenses of the Community Preservation Committee for FY'23; and further to reserve for future appropriation a sum of money from the Community Preservation Fund estimated annual revenues for open space, historic resources, and community housing purposes, as well as a sum of money to be placed in the FY'23 Budgeted Reserve for general Community Preservation Act purposes; and further to appropriate from the Community Preservation Fund a sum or sums of money for previously authorized Community Preservation Act debt payments; and further to appropriate from the Community Preservation Fund a sum or sums of money for Community Preservation projects or purposes as recommended by the Community Preservation Committee; or take any other action in relation thereto.

Recommended by the Board of Selectmen, Finance Committee, and Community Preservation Committee.

ARTICLE 12

To see if the Town will vote to authorize the Board of Selectmen to grant any and all required real estate interests, including but not limited to, easements along the affected Town beaches, properties, and parking lots and to accept any real estate interests acquired by gift, purchase, or eminent domain as may be needed, associated with the U.S. Army Corps of Engineers' proposed Continuing Authorities Program Section 111 Shore Damage Mitigation Project and Cape Cod Canal dredging projects, and any beach nourishment and reconstruction project, for the purpose of accessing, constructing, operating, inspecting, and implementing said projects, on such terms and conditions and for such consideration as the Board of Selectmen may determine, and to further authorize the Board of Selectmen to execute any and all instruments as may be necessary to carry out such project; or take any action relative thereto.

Recommended by the Board of Selectmen.

ARTICLE 13

To see if the Town will vote to authorize the Board of Selectmen to acquire, by purchase, gift or eminent domain, permanent and/or temporary easements, for public way purposes, including without limitation, for the construction, installation, maintenance, improvement, repair, replacement and/or relocation of rights of way, sidewalks, walkways, driveways, drainage, slopes, grading, rounding, landscaping, and other appurtenances and/or facilities, to enable the Town to undertake the Route 130 and Quaker Meetinghouse Road Roadway Improvements Project and for any and all purposes incidental or related thereto, in, on and under portions of the parcels of land located on Route 130 and Quaker Meetinghouse Road shown on a plan entitled "Location Plan, Town of Sandwich, QMH Rd at Route 130 Roadway Project," prepared by Stantec Consulting Services, Inc. dated April 7, 2022, a copy of which is on file with the Town Clerk, as said plan may be amended and/or incorporated into an easement plan, and, further, authorize the Board of Selectmen to enter into all agreements and

take any and all actions as may be necessary or appropriate to effectuate the foregoing purposes; or take any other action relative thereto.

Recommended by the Board of Selectmen.

ARTICLE 14

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purpose of constructing improvements and remodeling, constructing, reconstructing and making extraordinary repairs to the Sandwich Hollows Golf Course buildings, grounds, and public infrastructure, including improvements to the irrigation, water supply well and pumping systems, storage facilities, and associated equipment and supplies, and all other costs incidental and related thereto; and further to authorize the Board of Selectmen to enter into any and all contracts necessary to carry out such project; or take any action relative thereto.

(2/3 Vote Required)

Recommended by the Board of Selectmen, Finance Committee, and Capital Improvement Planning Committee.

ARTICLE 15

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the purpose of constructing improvements and remodeling, constructing, reconstructing and making extraordinary repairs to Sandwich Public Schools buildings, grounds, playgrounds, and public infrastructure, including improvements at Sandwich High School located at 365 Quaker Meetinghouse Road, Oak Ridge School located at 260 Quaker Meetinghouse Road, Forestdale School located at 151 Route 130, and the Human Services Building located at 270 Quaker Meetinghouse Road, and all other costs incidental and related thereto; and further to authorize the School Committee to enter into any and all contracts necessary to carry out such project; provided that said appropriation shall be contingent upon the passage of a so-called Proposition Two and One-half debt exclusion referendum in accordance with M.G.L. c.59, §21 C(k), or take any action relative thereto.

(2/3 Vote Required)

Recommended by the Board of Selectmen, Finance Committee, and Capital Improvement Planning Committee.

ARTICLE 16

Article: Commercial Single-Use Plastic Water Bottle Ban

To see if the Town will vote to adopt the following as a general by-law and to insert it into the Code of the Town of Sandwich, Massachusetts.

Section 1. Sale of Single-use Plastic Water Bottles

Effective on September 12, 2022, it shall be unlawful to sell non-carbonated, unflavored drinking water in single-use plastic bottles of less than one gallon in the Town of Sandwich. Enforcement of this regulation will begin September 12, 2022.

Section 2. Definitions

A single-use plastic bottle is a beverage container made from any type of plastic resin.

Section 3. Exemptions

Sales or distribution of non-carbonated, unflavored drinking water in single-use plastic bottles occurring subsequent to a declaration of emergency (by the Emergency Management Director or other duly authorized Town, County, Commonwealth or Federal official) affecting the availability and/or quality of drinking water to residents of the Town shall be exempt from this bylaw until seven days after the declaration has ended.

Section 4. Enforcement

Enforcement of this article shall be the responsibility of the Town Manager or his/her designee. The Town Manager shall determine the inspection process to be followed, incorporating the process into other Town duties as appropriate.

Any establishment conducting sales in violation of this article shall be subject to a non-criminal disposition fine as specific in G.L. Chapter 40 § 21D. The following penalties apply:

- First violation: Written warning
- Second violation: \$150 fine
- Third and subsequent violations: \$300 fine

Each day a violation continues constitutes a separate violation, incurring additional fines. Any such fines collected shall be payable to the Town of Sandwich.

All businesses will be routinely inspected until the Town Manager deems the inspection to no longer be required.

Rationale

Single-use plastic bottles impact environmental health, and the health and longevity of other species, who may ingest plastic as food. Ultimately, plastic re-enters the human food chain where the adverse consequences are both known and emerging. Plastics pollute and impact our environment across their lifecycle from production to use to disposal.

Over 1,500 single-use plastic water bottles are used and discarded in the U.S. per second. Elimination of the use of single-use plastic water bottles will have a significant impact on future plastic-based pollution including the nation's greenhouse gas footprint and is consistent with protection of the natural environment in Sandwich, Barnstable County, our nation and our earth, which we have a common responsibility to protect and steward.

(Submitted by Petition)

No Recommendation Required.

ARTICLE 17

To see if the Town will vote to amend the Town of Sandwich Bylaws, Chapter 9, Boat Operations and Use of Waterways, Section 9.04, Horsepower, and Section 9.05, Operation, by inserting the words highlighted in red and underlined and deleting the words highlighted in strikethrough as written below, or take any action relative thereto.

Section 9.04: Horsepower

4) There shall be no horsepower limitation on Peters Pond.

~~a) The use of Personal Watercrafts, including jet ski watercraft, surf jet watercrafts, and wet bike watercrafts is prohibited on Peters Pond.~~

Section 9.05: Operation

1) Vessels shall not be operated on any pond at greater than headway speed and create no wake – wash, between the hours of sunset to sunrise.

2) No vessel shall be operated at any time on any pond in an overloaded condition.

3) Motorboats and Personal Watercraft shall not be operated within a shoreline safety zone except for the purpose of launching or retrieving such vessel provided they remain outside of the designated swimming area(s), and operate at headway speed, only within the shoreline safety zone.

4) Personal Watercraft operation is prohibited on Peters Pond, after the hour of 7:00 PM or after sunset, whichever occurs first, and before sunrise, daily.

5) Personal Watercraft operation is prohibited on Peters Pond, when vision is unduly restricted by weather.

(Submitted by Petition)

No Recommendation Required.

ARTICLE 18

Summary

The Town previously voted to prohibit adult-use marijuana retailers in all Town zoning districts. These articles seek to amend the Zoning Bylaw 8000 to allow the Registered Marijuana Dispensary (“RMD”, now referred to as a Medical Marijuana Treatment Center, or “MTC”) established in Sandwich by special permit in the medical marijuana overlay district to become a Colocated Marijuana Operation (“CMO”) consisting of the existing MTC and an adult-use marijuana retailer (a “Marijuana Retailer”) so that it may sell adult-use marijuana products pursuant to M.G.L. c. 94G and regulations set forth at 935 C.M.R. 500.00 et seq., and to further collect marijuana sales tax on the such adult-use sales pursuant to M.G.L. c. 64N. The undersigned believe that the Town’s benefit from the tax collected plus certain other fees that may be collected under the Host Community Agreement will bring significant financial benefit to the Town without incurring additional expense.

Petition Article I

To see if the Town of Sandwich will vote to amend the Sandwich Protective Zoning By-Law in Sections 8000, 8001, 8002, 8003, 8004, 8005, 8006 and 8050, and by adding Section 8051 as follows: (2/3 majority vote required)

(Note: Proposed new language appears in bold and underlined. Deleted language appears in strikethrough)

8000. Medical Marijuana Overlay District.

8001. Purpose. The purpose of this Section is to provide for the placement of a ~~Registered Marijuana Dispensary~~ **Medical Marijuana Treatment Center (RMD MTC), or colocated marijuana operation consisting of a MTC and an adult-use marijuana retailer (hereinafter referred to as a CMO)** in accordance with the Humanitarian Medical Use of Marijuana at ~~MGL c. 94I, App. S 1-1 et seq.~~ **and the Regulation of and the Use and Distribution of Marijuana Not Medically Prescribed at MGL c. 94G et seq.,** in a location suitable for a lawful medical **and/or adult-use retail** marijuana facility and to minimize adverse impacts of a ~~RMDMTC or CMO~~ on adjacent properties, residential neighborhoods, and locations where minors congregate by regulating the siting, design, placement, security and removal of a ~~RMDMTC or CMO~~.

Where not expressly defined in the Zoning Bylaw, terms herein shall be interpreted as defined in ~~the Humanitarian Medical Use of Marijuana Act G.L. c. 94C, App. S 1-1, et seq.,~~ **MGL c. 94G et seq., and the Cannabis Control Commission Regulations promulgated thereunder, 935 CMR 500 et seq. and 935 CMR 501 et seq.** and the Department of Public Health (DPH) Regulation promulgated thereunder, ~~105 CMR 725, et seq.,~~ and otherwise by their plain language.

8002. Overlay District. The Medical Marijuana Overlay District (MMOD) is hereby established as an overlay district. The boundaries of the MMOD are shown on the Zoning Map on file with the Town Clerk. If the provisions of the MMOD are silent on a zoning regulation, the requirements of the underlying district shall apply. If the provisions of the MMOD conflict with the requirements of the underlying district, the requirements of the MMOD shall control. Land within the MMOD may be used for either:

1. A ~~Registered Marijuana Dispensary (RMDMTC)~~ **or CMO** in which case the requirements set forth in this Section shall apply; or
2. A use allowed in the underlying district in which case the requirements of the underlying district shall apply.

8003. Location.

1. The MMOD overlay is located in the B-2 medical campus area along Route 130 in Sandwich between Massachusetts Military Reservation, the Route 6 Mid-Cape Highway and the Sandwich Industrial Park as shown on the zoning map on file with the Town Clerk. This location is suitable because it is highly visible with direct access to state highways and byways, easy access for public and emergency services, and relatively central location within the

community. The overlay district also share proximity with other medical uses within this campus area.

2. A **RMDMTC or CMO** shall not be located within 500 feet of any of the following facilities that are in existence at the time of permit application:
 - a. School, including a public or private elementary, vocational or secondary school or a public or private college, junior college or university;
 - b. Child Care Center as defined in MGL Chapter 15D Section 1A;
 - c. Public park; or
 - d. Any facility where the primary purpose is to serve persons under age 18 who commonly congregate to participate in scheduled and structured activities other than medical uses.
3. Measurement of distance for the purpose of the bylaw shall be measured from property line to property line. The Zoning Board of Appeals may waive this distance requirement by a supermajority vote as part of the issuance of a Special Permit in any of the following instances:
 - a. Renewal of a Special Permit for an existing **RMDMTC or CMO**; or
 - b. New application (change of applicant) for an existing **RMDMTC or CMO**; or
 - c. If the applicant demonstrates that a **RMDMTC or CMO** would otherwise be effectively prohibited within the Town; **or**
 - d. The applicant demonstrates that the **RMDMTC or CMO** will employ adequate security measures to prevent diversion of medical marijuana to minors ~~who are not qualifying patients pursuant to 405 CMR 725.004~~ **935 CMR 500 et seq. and 935 CMR 501 et seq.**

8004. Eligibility.

1. Only one **RMDMTC or CMO** shall be permitted within the Town. ~~As defined in Section 10.2 a RMD can either dispense, prepare, cultivate or any combination thereof. Therefore, any facility with one or a combination of these activities constitutes a RMD.~~
2. Only an applicant holding a valid Provisional ~~Certificate of Registration~~ **License** from the Department of Public Health **Cannabis Control Commission (CCC)** is eligible to apply for a Special Permit under this Section.

8005. Administration and Procedure.

1. One **RMDMTC or CMO** shall be permitted in the MMOD pursuant to a Special Permit. The Zoning Board of Appeals shall be the Special Permit Granting Authority (SPGA) for a **RMDMTC or CMO** Special Permit. In addition to the **RMDMTC or CMO** Special Permit, applicants are urged to attend a voluntary town staff Site Plan Review.

2. The Zoning Board of Appeals shall notify and refer copies of RMDMTC or CMO applications to the appropriate Town officials, such as Police Department, Fire Department, Building Commissioner, Town Engineer, Highway Superintendent, Health Department, Water Department, and Council on Aging, who have expertise or responsibilities relating to the application or serve constituencies likely to use a RMDMTC or CMO. These reviewers may examine the application and submit written comments to the Zoning Board of Appeals. Failure to submit written comments by the designated deadline shall be construed as a lack of opposition to the proposal.
3. Applicants for a RMDMTC or CMO Special Permit shall follow the application requirements on forms provided by the Zoning Board of Appeals or their designee.
 - a. An applicant for a Special Permit to operate a RMDMTC or CMO under this bylaw shall submit the following to the Zoning Board of Appeals for its review:
 - 1) A copy of its Provisional ~~Certificate of Registration~~ License from the ~~Massachusetts Department of Public Health (DPH)~~ CCC;
 - 2) A copy of any waivers of ~~DPH~~ CCC regulations issued to the RMDMTC or CMO;
 - 3) A full description of all security measures including employee security policies approved by the ~~DPH~~ CCC;
 - 4) A copy of the emergency procedures approved by the ~~DPH~~ CCC;
 - 5) A copy of the policies and procedures for patient or personal caregiver home delivery approved by ~~DPH~~ the CCC;
 - 6) A copy of the policies and procedures for the transfer, acquisition or sale of marijuana between RMDs marijuana establishments as approved by the ~~DPH~~ CCC; and
 - 7) A security contingency plan to address emergency situations and conditions presented by emergencies such as extended power outage and natural disasters.
 - b. The site plan shall clearly delineate various areas of the RMDMTC or CMO (both indoors and outdoors) including but not limited to as public access areas, employee-only access areas, storage, cultivation, preparation, waste disposal, administrative, transportation and loading as well as parking areas. Site plans and/or application narrative shall contain sufficient information so that the Zoning Board of Appeals can evaluate the following design and operational standards.
4. Design Standards. The facility shall meet the following minimum requirements:
 - a. a. All activities related to the RMDMTC or CMO with regard to processing, cultivation, or storage of marijuana shall be conducted indoors. No materials, plants or byproducts shall be visible from outside

of the premises/building. With the exception of loading areas, no operations shall be visible to the public;

- b. The facility may include waiting areas for **customers**, patients and caretakers and area where **customers**, patients and caregivers receive instruction about use of the product and other activities directly related to administration of services. There shall not be any facilities for use by the general public such as public reception areas, public restrooms or public lounge or seating areas;
- c. All shipping and receiving areas shall exclusively serve the **RMDMTC or CMO**. In the case of a multi-use or multi-tenant site, the **RMDMTC or CMO** shall be laid out and designed to ensure separation from other uses or tenants at the site;
- d. The facility shall have adequate water supply, stormwater systems, sewage disposal, and surface and subsurface drainage;
- e. Adequate lighting, including night lighting that provides for monitoring of building and site security;
- f. Signage is limited to that which is permitted under ~~105 CMR 725.100~~ (~~L~~) **935 CMR 500.00 et seq. and 935 CMR 501.00 et seq.** and shall comply with the Town of Sandwich Sign Bylaw.

5. Security and Operational Standards.

- a. The Zoning Board of Appeals shall request review and comment from the Chief of Police or designee. Failure to submit written comments by a designated deadline set by the Zoning Board of Appeals shall be construed as a lack of opposition to the proposal. The Chief of Police or designee may recommend reasonable security conditions to the Board;
- b. The applicant under this Section shall provide and keep up to date contact information as required by the Chief of Police and Building Commissioner such as name, telephone number and electronic mail address of a contact person who must be available 24 hours a day.
- c. Security Design Requirements. At a minimum, the security features used to protect the site shall fully comply with ~~105 CMR 725~~ **935 CMR 500.00 et seq. and 935 CMR 501.00 et seq.** and, in addition, must have the following capabilities:
 - 1) A security camera system that monitors all entrances and exits for vehicles and persons as well as all areas where marijuana is received, stored, processed, sent or otherwise handled;
 - 2) The security camera system shall have a minimum 180 day storage capacity;
 - 3) Access and egress to all entrances and exits for vehicles and persons into areas where marijuana is received, stored, processed, sent or otherwise handled shall be controlled by an

electronic access security system that records the ingress and egress of vehicles and persons;

- 4) All personnel shall have a security identity card that includes a front facial picture of the employee. The identity card shall also serve as the electronic access card for entrance into all restricted areas. The date and time of all access and egress into such areas shall be digitally recorded. Identification cards shall be worn at all times when personnel are in the **RMDMTC or CMO** facility and must be plainly visible and not concealed;
- 5) All security alarm systems for the **RMDMTC or CMO** shall be monitored by central station alarm. The Sandwich Police Department shall be immediately notified of the receipt of any alarm by the central station monitor; and
- 6) The applicant shall immediately notify the Sandwich Police Department of any breakdown or malfunction of any part of the security system. This notification shall include at a minimum the following:
 - Date and time of malfunction;
 - Nature of malfunction;
 - Any loss or attempted loss of product as a result of the malfunction;
 - The compensatory measures in place to address the discontinuity of the security system; and
 - Estimated date and time of restoration of the security measures.

6. Enforcement.

- a. Failure to comply with any of the provisions of the security measures in this Section shall be reported to the Building Commissioner for review. The applicant's unwillingness or inability to make timely repairs to the security system may result in the issuance of a Cease and Desist order until such repairs have been completed and approved by appropriate town officials.

8006. Special Permit Approval Criteria and Conditions.

1. The Zoning Board of Appeals may impose reasonable conditions to improve site design, traffic flow, public safety, water quality, air quality, protection of significant environmental resources and the preservation of community character of the surrounding area including but not limited to the following:
 - a. Minimize the impacts of increased noise and traffic;
 - b. Impose security precautions related to the high value of products and cash transactions;
 - c. Deter unauthorized or ineligible customers at the **RMDMTC or CMO**;
 - d. Impose measures to prevent diversion of marijuana; and

- e. Conditions related to the design and construction of the facility to improve safety, security and conformance with community character.
2. Zoning Board of Appeals shall address the following general conditions in each special permit issued under this Section:
 - a. Hours of operation, including dispatch for home delivery;
 - b. The reporting of any incidents to the Building Commissioner and Zoning Board of Appeals as required under the requirements of ~~105CMR 725.110(f)~~ **935 CMR 500.00 et seq. and 935 CMR 501.00 et seq.** within 24 hours of occurrence. Such reports may be redacted as necessary to comply with any applicable state or federal laws and regulations.
 - c. The reporting of any summary cease and desist order, quarantine order, summary suspension order, limiting sales order, notice of hearing or final action by ~~DPH~~ **the CCC** or the Division of Administrative Law Appeals as applicable regarding the **RMDMTC or CMO** to the Building Commissioner and the Zoning Board of Appeals within 48 hours of their receipt.
 3. A Special Permit may be issued to any applicant who, in the determination of the Zoning Board of Appeals, has met the requirements of the Section; as well as the criteria in Section 1330 and 1340.
 4. The issuance of a special permit under this Section shall also be subject to the following;
 - a. The special permit shall expire within five (5) years of the date of issue. If the applicant wishes to renew the special permit, an application to renew must be submitted at least 120 days prior to the expiration of the Special Permit;
 - b. Special permits shall be limited to the current applicant and shall expire on the date the Special Permit holder ceases operation of the **RMDMTC or CMO**;
 - c. Special permits shall lapse upon the expiration or termination of an applicant's ~~registration~~ **licensure** by ~~DPH~~ **the CCC**;
 - d. The holder of a special permit for an **RMDMTC or CMO** facility shall notify the Building Inspector and the Zoning Board of Appeals in writing within 48 hours of the cessation of operation of the **RMDMTC or CMO** or the expiration or termination of the permit holder's ~~registration~~ **licensure** with ~~DPH~~ **the CCC**; and
 - e. Any failure to fully comply with any conditions of the special permit, this or any bylaws of the Town of Sandwich, or the laws or regulations of the Commonwealth of Massachusetts, may result in the suspension or revocation of the special permit by the Zoning Board of Appeals.

8050. Marijuana Establishments.

Consistent with G.L. c. 94G, §3 (a)(2), **except for a MTC or colocated marijuana operation consisting of a MTC and Marijuana Retailer,** all types of ~~non-medical,~~

“marijuana establishments” as defined in G.L. c.94G, §1, to include marijuana cultivators, independent testing laboratory, marijuana product manufactures, ~~marijuana retailers~~ or any other types of licensed marijuana-related businesses shall be prohibited within the Town of Sandwich.

8051. Approval of Colocation. Upon the approval for final licensure of an adult-use Marijuana Retailer to be colocated with an existing MTC, the sale of adult-use marijuana shall be allowed at a CMO in the MMOD pursuant to 935 CMR 500.00 et seq. and 935 CMR 501.00 et seq.

Summary

Sandwich Town Meeting previously voted to add Chapter 4, Section 4.15 to the Town Bylaws to prohibit retail sales of adult-use marijuana. This article seeks to delete the reference prohibiting retail sales of non-medical marijuana for adult-use (over 21) at the existing ~~RMD~~**MTC**. This would allow for the establishment of a Colocated Marijuana Operation consisting of both medical and adult-use retail sales.

Petition Article II

To see if the Town will vote to amend the general bylaws of the Town section 4.15 of the Sandwich Bylaws which prohibits the retail sale of adult use marijuana at a licensed RMD in order to allow the retail sale of adult-use marijuana and collection of the tax thereto at a licensed RMD converting it to a CMO as follows:

Section 4.15: Marijuana Establishments

Consistent with G.L. c.94G, §3(a)(2), **except for a MTC or colocated marijuana operation consisting of a MTC and Marijuana Retailer**, all types of ~~non-medical~~ “marijuana establishments” as defined in G.L. c.94G, §1, to include marijuana cultivators, independent testing laboratory, marijuana product manufactures, ~~marijuana retailers~~ or any other types of licensed marijuana-related businesses shall be prohibited within the Town of Sandwich.

Or take any other action relative thereto.

Petition Article III

In the event Petition Articles I and II prevail, and it is deemed there must be a vote by ballot to reverse the prohibition of retail sale of marijuana, the Town Clerk shall place such a ballot question on the very next ballot that will be considered by Sandwich Voters.

(Submitted by Petition)

No Recommendation Required.

ARTICLE 19

To Elect the following Officers:

- One Board of Assessor member for a term of three years;
- One Board of Health member for a term of three years;
- One Board of Health member for an unexpired term of one year;
- Two Board of Selectmen members for terms of three years;

One Constable for a term of three years;
Two Planning Board members for terms of three years;
Two School Committee members for terms of three years;
Three Trustees to the Sandwich Public Library for terms of three years;
One Town Clerk for a term of three years;
One Trustee to the Weston Memorial Fund for a term of two years;

and all other candidates that may appear on the official ballot,

and to vote YES or No on the following questions.

BALLOT QUESTION #1

Shall the Town of Sandwich be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bond issued for the purpose of constructing improvements and remodeling, constructing, reconstructing and making extraordinary repairs to Sandwich Public Schools buildings, grounds, playgrounds, and public infrastructure, including improvements at Sandwich High School located at 365 Quaker Meetinghouse Road, Oak Ridge School located at 260 Quaker Meetinghouse Road, Forestdale School located at 151 Route 130, and the Human Services Building located at 270 Quaker Meetinghouse Road, and all other costs incidental and related thereto?

YES: _____

NO: _____

BALLOT QUESTION #2

Non Binding Public Advisory Question for the 2022 Spring Town Ballot Calling upon Holtec Pilgrim, LLC, owner of the closed Pilgrim Nuclear Power Station and Holtec Decommissioning International, LLC, to immediately withdraw any plans to discharge any radioactive water into Cape Cod Bay.

WHEREAS, Cape Cod Bay is a federal and state protected area and habitat for the endangered Right Whale; and

WHEREAS, Cape Cod Bay provides a vital livelihood for fishermen and the tourist industry; and

WHEREAS, The National Academies of Science has determined there is no safe dose of ionizing radiation,

WHEREAS, One radioactive element in Holtec Pilgrim water is Tritium, which concentrates up the food hand from sediment to sea grasses to the fish we eat; and

WHEREAS, Holtec Pilgrim can discharge radioactive water anytime without approval of the Nuclear Regulatory Commission [NRC]; and

WHEREAS, The Attorney General of New Mexico has filed a lawsuit against the NRC for unlawful proceedings and illegal activities involving Holtec; and

WHEREAS, The Commonwealth has the authority to stop the dumping;

Therefore, shall the people of the Town of Sandwich direct the local government to communicate with Governor Charlie Baker, Attorney General Maura Healey, and the State Legislature to employ all means available to ensure that Holtec commits to immediately withdraw any plans to dump any radioactive water into Cape Cod Bay?

YES: _____

NO: _____

The polls for the election will be open at 7:00 a.m. and close at 8:00 p.m. on said


THURSDAY, THE FIFTH DAY OF MAY, 2022.

And you are hereby directed to serve this Warrant by posting attested copies thereof, one at the Town Hall, and one at each of the Post Offices in Sandwich, the last posting to be at least fourteen days prior to the time of holding said meeting,

given under our hands this 14th Day of April, 2022.


Michael J. Miller, Chairman


Robert J. George, Vice Chairman


Shane T. Hctor



Charles M. Holden


David J. Sampson

SANDWICH BOARD OF SELECTMEN

I hereby certify that I have posted attested copies of this warrant at Sandwich Town Hall, Town Hall Annex, Sandwich Post Office, East Sandwich Post Office and Forestdale Post Office, all located within the Town of Sandwich, on

4/15/2022
Date


Constable

Reference Material

(**NOTE**: Reference material is provided for informational purposes only.)

ARTICLE 1 – 2022 LONG RANGE PLAN

MISSION STATEMENT

The government of the Town of Sandwich will provide the public with the highest, most efficient and effective level of service with the resources available in a manner that exemplifies honesty, integrity and a commitment to public service while honoring our rich history, protecting our environment and responsibly planning for our future.

SUMMARY OF LONG RANGE PLAN

The purpose of the Long Range Plan (LRP) is to annually project the future needs of the Town and identify the primary issues and projects on which the Town will focus, and to report this to Town Meeting (Section 4.2.5(i) of Town Charter). The vision that forms the basis for the LRP is articulated in detail in the Local Comprehensive Plan (LCP) approved by Town Meeting in May 2009 and planned for an update this year. The document below is long range in the sense that it takes us further than just one budget cycle. It is meant to define the next few steps of the journey to the vision set forth in the LCP and the other planning documents identified in the Attachments below. The Board of Selectmen and Town Meeting have already initiated many of these efforts, with progress continuing to be made on many fronts. Several of the items found in the Action Plan will also be voted on at the May 2022 Annual Town Meeting and are addressed in the recommended FY'23 budget.

INTRODUCTION

Guiding principles followed in developing the LRP include:

- Adequate staffing takes precedence over capital assets
- Innovation and efficiency must be considered when adding or modifying infrastructure, staff, and services
- Delivering a superior level of service, within reasonable means, should always be a desired outcome
- Realistic limitations of a large population & small tax base need to be considered
- Proposition 2.5 funding limitations need to guide wage / compensation packages
- Funding sources & tax impacts of proposed actions will be identified during the planning phase

ACTION PLAN

(* = proposed action item leader)

1. Improved Delivery of Existing Services

- a. Implement General Government staffing, succession, & reorganization plan and modify when appropriate – 2022 & Beyond – Board of Selectmen & Town Manager*
 - i. Complete the renovation of 100 Route 6A for the consolidation of general government departments and dispose of Town Hall Annex & 16 Jan Sebastian Drive
 - ii. Continue to assess effectiveness of delivery of services when vacancies occur & make appropriate organizational changes when prudent
 - iii. Prioritize & fund new positions & organizational changes identified to improve the delivery of General Government services and address staffing shortfalls
 - iv. On an ongoing basis, consider facilitating town-wide efficiencies in services wherever possible and consider regional programs for efficiency
 - v. Sustain COVID-19 Command Team as needed to plan and prepare staff, boards, committees and the public endemic response to COVID-19
- b. Evaluate and implement enhanced use of technology for Town departments and relevant boards and committees and for appropriate outreach to general public; implement 'QAlert' Citizen Response Management program; enhance public participation in Red Alert system – 2022 & Beyond – Director of Public Works, Assistant Town Manager, IT Director*
- c. Continued to evaluate waste management facility operations including a review of Pay-As-You-Throw Program & adjust sticker & bag fees as appropriate to fully cover sanitation costs – 2022 & Beyond – Director of Public Works*
- d. Support new Superintendent of Schools in transition and support the schools on efficiency and improvement efforts, particularly those designed to retain and attract students and develop measurable outcomes to demonstrate successes – 2022 & Beyond – School Committee*, Superintendent of Schools
- e. Work cooperatively with Town staff, Departments, School Committee and School Administration, to discuss future needs, funding priorities, services, and how changing demographics will impact future budgets, services, and capital needs; explore shared services where prudent & feasible – 2022 & Beyond – Board of Selectmen*, School Committee & Department, Relevant Town & School Staff, Finance Committee, Capital Improvement Planning Committee

g. Support Planning & Development Department in updating & implementing revised Local Comprehensive Plan, including fostering public support and formal adoption at Town Meeting with Cape Cod Commission approval

h. Continue review & implementation of relevant recommendations from Beach Management Plan & and Municipal Vulnerability Preparedness Plan, enforce dune protection efforts – 2022 & Beyond – Recreation Director*, Natural Resources Director, Director of Public Works, Public Facilities Director

i. Closely track & ensure that the excess levy capacity set aside for FY'22 and beyond will be earmarked to cover all debt associated Library renovations and new Center for Active Living as approved within the Town's Proposition 2.5 levy limit throughout life of 30-year bond payment schedule; also applies for Sandwich Hollows capital improvement bond, if approved by voters – 2022 & Beyond – Finance Director*, Town Manager's Office, Board of Selectmen

j. Appoint Charter Review Committee to review current Town Charter for Selectmen review & approval prior to submission of any recommended changes to Town Meeting – 2022 & 2023 – Board of Selectmen*, Town Manager's Office, Town Counsel

2. Capital Asset Management - Ongoing

a. Continue to implement & develop plan on future use, sale, etc. of public safety and other properties being replaced by new facilities based on the recommendations of the Surplus Building Review Team report and Town Meeting authority; take appropriate implementation action(s); consider infrastructure consolidation where appropriate, such as downtown Fire Station relocation with improved DPW facilities – 2022 & Beyond – Town Manger's Office*, Director of Planning & Development, Director of Assessing

b. Support sale of Tax Title properties for sale through auction to return the properties back onto the 'tax rolls' – 2022 & Beyond – Finance Director*

c. Continue extensive efforts to address beach erosion issues & lobby county, state, federal officials accordingly and seek appropriate funding when required – 2022 & Beyond – Board of Selectmen, Town Manager, Natural Resources Director*, Woods Hole Group

i. Continue active participation with Army Corps of Engineers on active Cape Cod Canal Section 111 & future Section 204 studies, various permitting & funding efforts – 2022 & Beyond

ii. Lobby state & federal officials for support of Section 111 plan, funding implementation, & amending Army Corps operations & maintenance permit &

policy for dredging Cape Cod Canal by requiring placement of dredge material in Town Neck Beach restoration footprint rather than dumping in Cape Cod Bay; need support for access to future sources of sand & continue nearshore sediment borrow source permitting & studies for future renourishment efforts; said permits to include Scusset Beach borrow site and Sandwich Harbor marsh system restoration & dredging– 2022 & Beyond

iii. Continue to work with federal and state delegation to secure additional appropriated funding for completion of fully permitted Beach Renourishment Project, including release of remaining State Environmental Bond Bill funds & maximizing potential Section 111 federal funding amount above existing legislative limits – 2022 & Beyond

iv. Work with the Woods Hole Group to determine if securing permits for a potential future Old Harbor stabilization/restoration and/or dredging project is deemed feasible and/or recommended; based on this determination, work with our federal and state delegation to evaluate funding and permitting options for a potential future Old Harbor stabilization/restoration & dredging project – Long-Term

d. Implement the voter approved public roads and public infrastructure debt exclusion and implement continued funding within FY'23 DPW operating budget – 2022 & Beyond – Director of Public Works*, Engineering Consultant

i. Lobby Governor & State House in conjunction with Massachusetts Municipal Association for additional annual Ch. 90 appropriation & more timely release of approved Ch. 90 funds – Long-Term

ii. Provide sufficient additional funding to DPW Budget to maintain roads & infrastructure at higher standard once larger-scale improvements have been completed; partially recommended in FY'23 operating budget – FY'23 and Long-Term

iii. Continue private road taking process and implement the Special Act that authorized Assessments for Betterments for Improvements to Private Ways – 2022 – Director of Public Works*

iv. Continue efforts to design, fund, and construct shared use pedestrian path on Service Road in conjunction with Barnstable and to implement general pedestrian improvements with sidewalks, shared use paths, and crossings at appropriate designated locations, including Quaker Meetinghouse and Cotuit Roads and 100 Route 6A – 2022 & Beyond – Director of Public Works*, Assistant Town Engineer, Bike & Pedestrian Committee

v. Expedite submission and processing of all required Boardwalk permits; facilitate regulatory review through MEPA, Army Corps, and other state and local

permits and issue IFB for reconstruction, striving for Winter 2022-23 reconstruction with reopening in Summer 2023 – 2022 & Beyond – Engineering Consultant, Internal Town Staff Team led by Assistant Town Engineer

e. Continue to achieve Comprehensive Water Resources Management Plan (CWRMP) milestones as defined in completed Plan – 2022 & Beyond – Health Director*, Water Quality Advisory Committee, Wastewater Consultant, Town Manager

i. Begin implementing recommendations of CWRMP & Interim Solutions Plan with appropriate action items, where possible, including relevant funding from the American Rescue Plan Act of 2021 and the Water Infrastructure Investment Fund and addressing long-term School Department wastewater needs – 2022 & Beyond – Director of Public Health*, Town Manager’s Office

ii. Continue representing the Town of Sandwich’s interests when participating in any collaborative projects for watershed solutions, including regional and sub-regional efforts, such as opportunities at Joint Base Cape Cod, the Cape and Islands Water Protection Fund, & the State Revolving Fund – 2022 & Beyond

iii. Implement & approve Inter-Municipal Agreements on Popponesset Bay, Three Bays, and Waquoit watersheds with towns of Mashpee, Barnstable & Falmouth by working of shared watershed permits to submit to State Department of Environmental Protection, and provide funding to accomplish this work – 2022 & Beyond

iv. Evaluate regional efforts with Falmouth, Bourne, Mashpee, Barnstable and Joint Base Cape Cod officials on future regional efforts involving the JBCC wastewater plant & disposal system, including filing of future grant requests as deemed appropriate and drafting future Inter-Municipal Agreement for parties to formally work together on shared solutions; if JBCC option no longer relevant, determine what can be accomplished with neighboring towns – 2022 & Beyond

v. Continue to educate public on Federal and State Section 208 requirements and consequences of inaction with assistance from Cape Cod Commission & Water Quality Advisory Committee including inland impaired waterbodies– 2022 & Beyond

vi. Work with relevant private developers in meeting local CWRMP goals & regional Section 208 requirements, requiring them to pay their fair share of wastewater infrastructure improvements & operations – 2022 & Beyond

3. Capital Asset Management – Projects

- a. Support and monitor the Henry T. Wing Residences through regulatory and financial planning by SCG Development and facilitate transfer of land for the purpose of over 65 housing in accordance with the Option to Purchase approved by the June 15, 2022 Special Town Meeting executed by SCG Development and the Board of Selectmen – 2022 & Beyond – Planning & Development Department*, Board of Selectmen
- b. Follow-up on Long Range Capital Plan (LRCP) & summit workshops to ask voters for appropriate funding for LRCP projects deemed relevant by Board of Selectmen – 2022 & Beyond – Board of Selectmen*, School Committee, Finance Committee, Capital Improvement Planning Committee
 - i. Present warrant article(s) to fund LRCP projects supported by Selectmen – Long Term
- d. Address School Department capital needs & renovate Human Services Building for central school administration and fund accordingly through debt exclusion & sinking fund transfer – Superintendent of Schools, School Facilities Director*, & Relevant Consultants – 2022 & Beyond
- e. Address downtown fire substation needs at DPW Barn location on Route 130 & address DPW facility needs – Long-Term – Town Manager, Board of Selectmen, Fire Chief*, Director of Public Works*

4. Economic Development (Commercial Tax Base Growth & Job Creation)

- a. Continue excellent working relations with Stonepeak ownership of Canal Station power plant and assist Stonepeak with future development plans, including a new Unit #4 & removing Units #1 & #2 & stack when deemed obsolete; prudently plan for how any future New Growth revenue associated with Canal Plant is utilized; assist Stonepeak with future use of property at entrance to Cape Cod Canal – 2022 & Beyond – Town Manager*, Director of Assessing, Planning & Development Director, Town Meeting
- b. Continue to focus on economic development efforts – 2022 & Beyond – Board of Selectmen, Town Manager’s Office, Planning & Development Director*, Director of Assessing
 - i. Explore any economic development opportunities with Cape Cod Commission (CCC), including implementing related CCC District Local Technical Assistance grants, once completed – 2022 & Beyond – Planning & Development Director, Town Manger’s Office, Appropriate Town Staff

c. Determine viability of Payment-In-Lieu-Of-Tax (PILOT) program for local non-profit organizations and implement consistent plan, if deemed appropriate – 2022 & Beyond – Board of Selectmen, Board of Assessors, Director of Assessing*

5. Preserve and Protect Historic Character and Natural Resources

a. Maintain the recently renovated Sand Hill School Community Center and oversee the public and private use of the building as COVID impacts diminish – Facilities Department* – 2022 & Beyond

b. Consider proposals to restore and use of the Deacon Eldred House for residential use and take appropriate actions toward disposition to a qualified proposer – 2022 – Board of Selectmen*, Town Manager

c. Determine best uses for Town Hall first floor once municipal offices relocated to 100 Route 6A, focusing on municipal needs first & private, non-profit needs second – 2022 & Beyond – Town Manager’s Office*, Facilities Department, Board of Selectmen

d. Review warrant articles for Community Preservation Committee recommendations with Selectmen pre-authorization required prior to submission of Town-related & owned requests above \$50,000 threshold, particularly with limited funding available & reduced Community Preservation Act (CPA) surcharge; identify Town capital improvement needs that can be funded by CPA – 2022 & Beyond – Board of Selectmen*, Community Preservation Committee

e. Continue to review open space purchase priority list, particularly if large, desirable parcels become available and to expand and connect existing open space properties; present acquisition opportunities to public in a timely fashion through funding mechanism deemed appropriate – 2022 & Beyond – Board of Selectmen, Natural Resources Director*, Conservation Commission, Community Preservation Committee

ATTACHMENTS

Many of the action items and concepts expressed above are also addressed with much more specificity in numerous documents like the Local Comprehensive Plan, our annual multi-year financial projections, and various planning documents covering specific issue areas. A listing of all these documents – and the documents themselves – can be found on the Town’s website (www.sandwichmass.org) or viewed at the Office of the Board of Selectmen & Town Manager, Town Hall, 130 Main Street, Sandwich, MA 02563.

ARTICLE 2 – FY'23 ESTIMATED GENERAL FUND REVENUES & EXPENSES

REVENUES

| | | |
|---------------------------------------|------------|-----------------------|
| <u>FY'23 Tax Levy:</u> | | |
| FY'22 Levy Limit | 70,893,641 | |
| 2.5% Increase | 1,772,341 | |
| Est. New Growth | 500,000 | |
| Excess Levy Reserve Est. | -3,250,000 | |
| Overrides / Exclusions | 0 | |
| County Assess. Outside 2.5: CCC | 201,475 | |
| Exempt Debt: GF Outside Prop. 2.5 | 2,283,713 | 72,401,170 |
| <u>Other Revenue:</u> | | |
| State Aid: Discretionary (15.18%) | 2,754,251 | |
| State Ch. 70 Aid: School (1.01%) | 7,298,848 | |
| Est. Local Receipts | 5,500,000 | |
| Free Cash Certification - STM Capital | 2,792,528 | |
| Overlay Release | 100,000 | |
| Transfer from Stabilization Fund | 0 | <u>18,445,627</u> |
| Total Estimated Revenues | | 90,846,797 |

EXPENSES

| | | |
|---|------------|--------------------|
| <u>ReCap Sheet Items:</u> | | |
| State Assess: Tuition Assess (10.75%) | 4,770,363 | |
| State Assess: All Other (1.37%) | 716,952 | |
| Abatements / Overlay | 550,000 | |
| FY'22 Snow & Ice Deficit | 0 | 6,037,315 |
| <u>Town Meeting Items:</u> | | |
| Group Health Insurance (3.48%) | 11,900,000 | |
| County Retirement Assess. (4.14%) | 4,802,452 | |
| Property & Liability Insurance (11.63%) | 1,500,000 | |
| Medicare (4.00%) | 724,132 | |
| GF Sanitation Ent. Fund Approp. | 60,500 | |
| Unemployment Account | 100,000 | |
| OPEB Trust Fund | 250,000 | |
| Exempt Debt: GF Outside Prop. 2.5 | 2,283,713 | |
| Non-Exempt Debt: GF Inside Prop. 2.5 | 1,276,872 | |
| Borrowing Expenses | 150,000 | |
| Reserve Fund | 500,000 | |
| Capital Budget - ATM - Net | 300,000 | |
| Capital Budget - Fall 2022 STM - Net | 450,000 | |
| Transfer to Stabilization Fund | 100,000 | 24,397,669 |
| <u>Operating Budgets:</u> | | |
| School Budget: Local (3.00%) | 29,697,687 | |
| Ch. 70 (1.01%) | 7,298,848 | 36,996,535 |
| UCCRVTS Budget (9.68%) | | 2,668,824 |
| General Gov't. Budget (9.24%) | | <u>20,540,474</u> |
| Total Estimated Expenses | | 90,640,817 |
| ESTIMATED FY'22 BUDGET BALANCE | | 205,980 |

| <u>Stabilization Fund & OPEB Trust Fund Balances:</u> | | |
|--|--------------------------|-------------------------|
| | <u>Stab. Fund</u> | <u>OPEB Fund</u> |
| Actual Balance on 12/31/21: | 2,539,419 | 1,252,894 |
| Proposed Transfer From/To Fund: | <u>100,000</u> | <u>250,000</u> |
| Projected Post ATM Balance: | 2,639,419 | 1,502,894 |

A GLOSSARY OF COMMONLY USED TERMS

Appropriation – An authorization granted by a legislative body to make expenditures and to incur obligations for specific purposes. An appropriation is usually limited to a specific amount and identifies the timeframe when it will be expended.

Assessed Valuation – A valuation set upon real estate or other property by a government as a basis for levying taxes. Equalized assessed valuation refers to a municipality's assessed valuation, as determined by local assessors, adjusted by the State Department of Revenue to reflect a full and fair market value ("Equalized Valuation").

Betterment – An addition made to, or change made in, a fixed asset which is expected to prolong its life or to increase its efficiency. The term is also applied to sidewalks, water lines, and highways and the corresponding tax assessment abutters may authorize for repairs to their properties.

Bond – A written promise to pay a specified sum of money, called the face value (par value) or principal amount, at a specified date or dates in the future, called the maturity date(s) together with periodic interest at a specified rate. The difference between a note and a bond is that the latter runs for longer period of time and requires greater legal formality.

Bond Anticipation Note (BAN) – Short-term note of a government sold in anticipation of bond issuance. BANs are full faith and credit obligations.

Bond Ratings – Designations used by bond rating services to give relative indications of credit quality.

Budget – A plan of financial operations embodying an estimate of proposed expenditures for a given period and the proposed means of financing them.

Budget Message – Statement summarizing the plans and policies contained in the budget report, including an explanation of the principal budget items and recommendations regarding financial policy for the upcoming year.

Capital Budget – A plan for expenditure of public funds for capital purposes.

Capital Expenditure – Nonrecurring payments for capital improvements including construction, acquisition, site development and overhead costs. The fees for architects, engineers, lawyers, and other professional services plus the cost of financing may be included.

Cherry Sheet – An annual statement received by the Town from the Department of Revenue detailing estimated receipts for the next fiscal year from various state aid accounts, the lottery, and estimated charges payable in setting the tax rate.

Supplemental Cherry Sheets may be issued during the year and there is no guarantee that the estimated receipts and charges shown thereon will not vary from actual receipts and charges. The name was derived from the pink color of the document.

Debt Service – The cost (usually stated in annual terms) of the principal retirement and interest of any particular bond issue.

Enterprise Fund – Those funds which are established for specific uses under M.G.L. c.44, §53F1/2 that require an annual appropriation to operate (i.e. Sandwich Hollows Golf Club).

Excess Levy Capacity – The difference between a community's maximum tax levy limit as established by Proposition 2.5 and its actual tax levy in the most recent year for which the community has set a tax rate. It is the additional tax levy that a community can raise at Town Meeting without going to the voters for an override or debt exclusion.

Exclusions (Debt Exclusion or Capital Expenditure Exclusion) – Proposition 2.5 allows communities to raise funds for certain purposes above the amount of their levy limits or levy ceilings. Subject to voter approval, a community can assess taxes in excess of its levy limit for the payment of certain capital projects and for the payment of specified debt service costs. Such an exclusion increases the amount of property tax revenue a community may raise for a limited or temporary period of time in order to fund the specific project. Unlike overrides, exclusions do not increase the community's levy limit and do not become part of the base for calculating future years' levy limits. Capital expenditure exclusions last for one year while debt exclusions last for the bond term.

Fiscal Year – The state and municipalities operate on a fiscal year which begins on July 1 and ends on June 30. For example, the FY'17 fiscal year is from July 1, 2016 to June 30, 2017.

Free Cash (Surplus Revenue) – Free cash represents the portion of surplus revenue which the municipality is able to appropriate. It is money that the community raised to spend for a particular item but was left over because the full appropriation was not expended. From this surplus the municipality's liabilities are subtracted (i.e. any unpaid back taxes). The remainder, if any, is certified annually by the Department of Revenue as the community's free cash. Amounts from certified free cash may be appropriated at Town Meeting by the community for expenditures or to offset property taxes.

General Fund – The fund into which the general (non-earmarked) revenues of the municipality are deposited and from which money is appropriated to pay the general expenses of the municipality.

Growth Revenue (New Growth) – The amount of property tax revenue that a community can add to its allowable tax levy from taxes from new construction, alterations, subdivisions, or changes of use. It is computed by applying the prior year's tax rate to the increase in valuation.

Note – A short-term loan, typically of a year or less in maturity.

Overlay – The amount raised by the assessors in excess of appropriations and other charges for the purpose of creating a fund to cover abatements and state allowed exemptions.

Overrides – Proposition 2.5 allows a community to assess taxes in excess of the automatic annual 2.5% increase and any increase due to new growth by passing an override. A community can take this action as long as it is below its levy ceiling (2.5% of full and fair cash value of community). When an override is passed, the levy limit for the year is calculated by including the amount of the override. Unlike exclusions, the override results in a permanent increase in the levy limit of a community, which becomes part of the levy limit base and increases along with the base at the rate of 2.5% each year.

Proposition 2.5 – M.G.L. c.59, §21C was enacted in 1980 and limits the amount of revenue a city or town may raise from local property taxes each year. This amount is the community's annual levy limit. The law allows the levy limit to increase each year by 2.5% plus any new growth revenue derived from taxes from new construction and alterations. This amount may not exceed the community's levy ceiling. Proposition 2.5 also established two types of voter approved increases in local taxing authority – overrides and exclusions.

Receipts Reserved for Appropriation Account – A special revenue account established by Town Meeting where receipts for a specific program or purpose are set aside in the fund. Expenditures from the account must be approved by Town Meeting.

Reserve Fund – A fund established by Town Meeting which is under the control of the Finance Committee and from which transfers may be made for extraordinary and unforeseen expenditures. The appropriation cannot be greater than 5% of the tax levy for the prior fiscal year.

Revolving Funds – Those funds which may be used without appropriation and which are established for particular uses under M.G.L. such as continuing education programs, school lunch programs, self-supporting recreation and park services, conservation services, etc. (i.e. Sandwich Marina, Sandwich Community School).

Stabilization Fund – A special reserve account which is invested until used. Towns may appropriate into this fund in any year an amount no more than 10% of the prior year's tax levy. The outstanding balance in the account cannot exceed 10% of the Town's equalized valuation. Generally, it takes a 2/3 vote of Town Meeting to appropriate money from the Stabilization Fund.

Surplus Revenue – See "Free Cash".

TABLE OF BASIC POINTS OF MOTIONS

| Rank | Type of Motion | 2nd Req'd. | May Debate | May Amend | Vote Req'd. | May Recons. | May Interrupt |
|---------------------------|---|---------------|---------------|--------------|----------------|----------------|------------------|
| MAIN MOTIONS | | | | | | | |
| None | Main Motion | Yes | Yes | Yes | Varies | Yes | No |
| Same | Reconsider or Rescind | Yes | Same | No | Majority | No | No |
| None | Take from the Table | Yes | No | No | Majority | No | No |
| None | Advance an Article | Yes | Yes | Yes | Majority | Yes | No |
| PRIVILEGED MOTIONS | | | | | | | |
| 1 | Dissolve or Adjourn Adjourn to Fixed | Yes | No | No | Majority | No | No |
| 2 | Time/Recess | Yes | Yes | Yes | Majority | No | No |
| 3 | Point of No Quorum | No | No | No | None | No | No |
| 4 | Fix the Time to Adjourn | Yes | Yes | Yes | Majority | Yes | No |
| 5 | Question of Privilege | No | No | No | None | No | Yes |
| SUBSIDIARY MOTIONS | | | | | | | |
| 6 | Lay on the Table | Yes | No | No | 2/3 | Yes | No |
| 7 | The Previous Question | Yes | No | No | 2/3 | No | No |
| 8 | Limit or Extend Debate | Yes | No | No | 2/3 | Yes | No |
| 9 | Postpone to Time Certain | Yes | Yes | Yes | Majority | Yes | No |
| 10 | Commit or Refer | Yes | Yes | Yes | Majority | Yes | No |
| 11 | Amend (or Substitute) | Yes | Yes | Yes | Majority | Yes | No |
| 12 | Indefinitely Postpone | Yes | Yes | No | Majority | Yes | No |
| INCIDENTAL MOTIONS | | | | | | | |
| Same | Point of Order | No | No | No | None | No | Yes |
| Same | Appeal | Yes | Yes | No | Majority | Yes | No |
| Same | Division of a Question | Yes | Yes | Yes | Majority | No | No |
| Same | Separate Consideration | Yes | Yes | Yes | Majority | No | No |
| Same | Fix the Method of Voting | Yes | Yes | Yes | Majority | Yes | No |
| Same | Nominations to Committee | No | No | No | Plurality | No | No |
| Same | Withdraw or Modify Motion | No | No | No | Majority | No | No |
| Same | Suspension of Rules | Yes | No | No | 2/3* | No | No |

* Unanimous if rule protects minorities; out of order if rule protects absentees

Source: Town Meeting Time, 3rd Edition